

**Amendments to the Claims:**

1. (Currently amended) Apparatus for ~~In~~ a sending station operable in a communication system to send data upon a communication channel susceptible to fading, ~~an improvement of said~~ apparatus for placing the data in a form to facilitate communication thereof upon the communication channel, said apparatus comprising:

~~an encoder comprising a first systematic structure and said encoder having a recursive feedback path, said encoder coupled~~ adapted to receive first values representative of the data to be communicated upon the communication channel, said encoder having a systematic path and a recursive path responsive to which coded values are formed that are both systematic and recursive, the coded values used to select coded symbol values that belong to a systematic, recursive for encoding the first value representative of the data into encoded form, the encoded form forming a codeword of a recursive, systematic space-time code achieved using a space-time constellation, and the codeword complying that complies with an equal eigenvalue criterion.

2. (Canceled)

3. (Currently amended) The apparatus of claim 1 wherein the systematic, recursive ~~codeword of the systematic space-time code~~, into which said encoder encodes the first values representative of the data, includes at least a systematic part, and wherein the systematic part is formed of untransformed values of the first values representative of the data.

4. (Cancelled)

5. (Currently amended) The apparatus of claim 1 wherein the systematic, recursive ~~codeword of the systematic space-time code~~ into which said ~~first~~ encoder encodes the first values representative of the data includes parity values, the parity values being derived from the first values representative of the data.

6. (Currently Amended) The apparatus of claim 1 wherein the systematic, recursive ~~codeword of the systematic space-time code~~, into which said encoder encodes the first values

representative of the data, comprises at least one systematic symbol value and at least one parity value.

7. (Currently Amended) The apparatus of claim 1 wherein the communication system comprises a radio communication system, wherein the sending station comprises a fixed-site transceiver, and wherein the systematic, recursive codeword ~~of the recursive, systematic space-time code~~ constructed by said encoder is communicated by the fixed site transceiver upon a radio channel which forms the communication channel.

8. (Currently Amended) The apparatus of claim 1 wherein said encoder comprises a coset selecting coder coupled to receive at least one of the first values, said coset selecting coder for producing coset addressing values that comprise the coded values that are both systematic and recursive.

9. (Original) The apparatus of claim 8 wherein at least one part of the coset addressing values produced by said coset selecting coder comprises a parity value.

10. (Original) The apparatus of claim 8 wherein at least one part of the coset addressing values produced by said coset selecting coder comprises a non-derived value.

11. (Currently Amended) The apparatus of claim 8 wherein said encoder further comprises a signal entity selector coupled to said coset selecting coder, said signal entity selector for selecting a multidimensional constellation entity related to the coset addressing values produced by said coset selecting coder, a multi-dimensional constellation entity forming at least part of the systematic, recursive codeword ~~of the systematic recursive space-time code~~.

12. (Original) The apparatus of claim 10 wherein said signal entity selector generates a binary representation of the multi-dimensional constellation entity.

13. (Original) The apparatus of claim 11 wherein said signal entity selector is further coupled to receive at least one of the first values and wherein the multi-dimensional constellation entity selected at said signal entity selector is further related to the at least one of the first values.

14. (Currently amended) The apparatus of claim 13 wherein the at least one of the first values ~~to which said signal entity selector is coupled to receive~~ comprises a systematic part.

15. (Currently Amended) ~~A~~ In a method of communicating in a communication system having a sending station operable to send data upon a communication channel susceptible to fading, said an improvement of a method for placing the data in a form to facilitate communication thereof upon the communication channel, said method comprising:

applying values representative of the data to be communicated upon the communication channel to an encoder having a systematic path and a recursive path;  
forming coded values responsive to application of the coded values during said operation of applying, the coded values both systematic and recursive; and  
~~encoding the values into encoded form, the encoded form~~ forming a codeword of a recursive, systematic space-time code responsive to the coded values, the codeword comprising both untransformed values representative of the data to be communicated upon the communication channel and parity values, the parity values derived from the values representative of the data and the codeword complying with an equal eigenvalue criterion.

16. (Canceled)

17. (Currently Amended) The method of claim 15 wherein said operations ~~operation~~ of forming ~~comprise encoding~~ comprises the operations of:

selecting coset addressing values; and thereafter  
selecting a multi-dimensional constellation entity related to the coset addressing values, the multi-dimensional constellation entity forming at least part of the codeword of the systematic recursive space-time code.

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18. (Original) The method of claim 17 comprising the additional operation of representing the multi-dimensional constellation entity in binary form.

19. (Canceled)